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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/934,809	08/21/2001	Ronald E. Griffin	0020012. P001	8815

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Theresia C. Sandhu, Esq.
955 Woodgrove Lane
San Jose, CA 95136

EXAMINER

DUONG, THANH P

ART UNIT

PAPER NUMBER

3711

DATE MAILED: 01/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

09/934,809

Applicant(s)

GRIFFIN, RONALD E.

Examiner

Tom P Duong

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

Claims 1, 14, and 26 are objected to because of the following informalities: the preamble recites "a golf putter comprising:" should be incorporated in the claim language in claims 1, 14, and 26 rather than in a form of an introduction to the claim language. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Caldwell (3,578,332). Caldwell discloses the golf club of the claimed invention. (Figures 1-5 and Col. 1, lines 36-53).
2. Claims 1 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Bernhardt (4,265,451). Bernhardt discloses the golf club of the claimed invention. (Figure 6).

3. Claims 1 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Giordano (6,179,727). Giordano discloses the golf club of the claimed invention.

(Figures 1-3).

4. Claims 1 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Stevenson, Jr. (5,333,870). Stevenson, Jr. discloses the golf club of the claimed invention. (Figures 1 and 11 and Col. 9, lines 54-68).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caldwell 332' in view of Stevenson, Jr. 870' and Giordano 727' and Anderson 438'. With respect to claims 2, 5-8, 10-11, 13-15, 18-20, 22-24, 26, 28, and 30, Caldwell 332' disclose the claimed invention except alignment means, a bottom face having a doze portion, front face having a non-radial curvature, a cut out to concentrate mass at the shaft and head portion. Stevenson 870' teaches an alignment means to aid in aligning the putter to the ball and the backside 12 is slanted backward (Fig. 11) to concentrate more mass at the top surface 3 of the head. Giordano 727' teaches a convex striking face prevents the ball from skidding and allows the ball to have a forward rolling.

(Summary of Invention). Anderson teaches a cut out portion or recess 20 where more mass can be concentrated in the heel and toe portion to improve moment of inertia (Col. 2, lines 65-68 and Col. 3, lines 1-5). Thus, it would have been obvious and desirable in view of Stevenson, Jr., Giordano, and Anderson 438' to modify the golf putter of Caldwell to include alignment means of Stevenson, Jr. a front face curvature of Giordano, and a cut out or recess of Anderson to benefit the above advantages. With respect claims 2 and 25, Official Notice is taken that it is conventional to fabricate the golf club with different material and it would have been obvious to do so here to facilitate assembly, improve structural strength, and control the weight of the club head. With respect to claims 3, 12, and 16, the structure of Caldwell appears to show the center of gravity is midway between the toe and heel portion. With respect to claims 4, 17, and 27, Anderson shows several markers 30-34 lies in a semi-circle 35 having a diameter size of a golf ball. Such semi-circle marker aids the user in aligning the putter to the ball for accurate putting. Thus, it would have been obvious in view of Anderson to incorporate such marker to prior art to facilitate alignment. With respect to claim 5, Stevenson, Jr. appears to show a narrow sole 8 (Fig. 11). With respect to claims 9, 21, and 29, Official Notice is taken that it is conventional to provides such non-radial surface to control backspin of the ball upon impact and it would have been obvious and desirable to incorporate such surface feature to prior art above to control the backspin of the ball.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom P Duong whose telephone number is (703) 305-4559. The examiner can normally be reached on 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Sewell can be reached on (703) 308-2126. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7768 for regular communications and (703) 305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-4148.

Tom Duong
January 8, 2003


Paul T. Sewell
Supervisory Patent Examiner
Group 3700